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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 Robert Lonnell Smith, Jr.,

5 Plaintiff

6 v.

7 Washoe County, et al.,

8 Defendants

Case No. 2:23-cv-01183-CDS-DJA

**Order Granting Plaintiff's Motion to
Extend Time to Respond to Motion to
Dismiss and Denying Defendants' Motion
to Extend Discovery and Dispositive
Motion Deadlines**

[ECF Nos. 56, 58]

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10 Plaintiff Robert Lonnell Smith, Jr., filed a motion to extend the time to file an opposition
11 to the defendants'¹ motion to dismiss. Mot., ECF No. 56. Smith explains that the law library has
12 been closed for in-person visits indefinitely due to staffing shortages, and this inability to access
13 the law library has not allowed him the ability to prepare an opposition to the motion to
14 dismiss. ECF No. 56 at 2. The defendants do not oppose Smith's motion but ask that the court
15 give Smith a thirty-day extension. Non-opp'n, ECF No. 58.

16 Finding good cause, Smith's motion to extend the time to respond to the motion to
17 dismiss is granted. The deadline for Smith's opposition was April 28, 2025. Order, ECF No. 55.
18 Given that the court did not address his motion to extend the time until after the response
19 deadline had passed, Smith's motion is granted nunc pro tunc to April 28, 2025. The new
20 deadline for Smith to file an opposition to the motion to dismiss is to June 27, 2025. This gives
21 Smith an approximate sixty-day extension.

22 In their non-opposition to Smith's request, the defendants also requested an extension of
23 the discovery and dispositive motion deadlines. ECF No. 58 at 2. This request is denied for three
24 reasons. First, the defendants did not separately move for this relief as required under Local Rule
25 IC 2-2(b). Second, the defendants seek to extend certain deadlines that have already passed

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¹ Defendants are Washoe County, Darin Balaam, Peter Sewell, and Mark Kester, Andrew Barrett-Venn, Darrin Rice, and Devonte German.

1 without citing excusable neglect as required by Local Rule 26-3. Third, defendants ask to base
2 their new deadlines on a contingent future event instead of proposing a schedule as required by
3 Local Rule 26-3(d). So, I deny their request to extend discovery and dispositive motion
4 deadlines without prejudice.

5 **Conclusion**

6 IT IS THEREFORE ORDERED that Smith's motion to extend the time to respond to the
7 motion to dismiss [ECF No. 56] is GRANTED. The deadline is extended nunc pro tunc to June
8 27, 2025.

9 IT IS FURTHER ORDERED that defendants' motion to extend discovery and
10 dispositive motion deadlines [ECF No. 58] is DENIED without prejudice.

11 Dated: May 30, 2025

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14 Cristina D. Silva
15 United States District Judge
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